

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**ORDER APPROVING SUPPLEMENTAL MEMORANDUM OF AGREEMENT  
AND REVISED NOTICES TO CLASS MEMBERS**

On this day, came on to be heard the parties' Agreed Motion for Approval of Proposed Supplemental Memorandum of Agreement as well as Revised Notices B and C to New York Class Members Because of Resolution of *Gonzalez Litigation* Referenced in Previously Approved Versions (the "Motion"). The Court, having reviewed the Motion, is of the opinion that the Motion should be granted. It is therefore, ORDERED that the Motion is GRANTED.

It is further ORDERED that:

1. The terms set forth in the Supplemental Memorandum of Agreement are preliminarily approved. (Exhibit 1 to the Motion.)
2. The Court approves, as to form and content, the revised Notice B and Claim Form for those individuals who are "Non-FLSA (NY) Settlement Class Members," as defined in the

Settlement Agreement (Exhibit 4 to the Motion).

3. The Court approves, as to form and content, the revised Notice C and Claim Form for those individuals who are both "Settlement Class Members" and "Rule 23/NY Settlement Class Members," as defined in the Settlement Agreement (Exhibit 5 to the Motion).

DONE and ORDERED on January 8<sup>th</sup>, 2010.

Melinda Harmon

MELINDA HARMON

UNITED STATES DISTRICT JUDGE